

# UNITED STATES DISTRICT COURT

for the

District of South Carolina

Kevin Wayne McDaniels,

*Petitioner*

v.

John R. Owen, Warden at FCI Williamsburg,

*Respondent*

)  
)  
)  
)  
)

Civil Action No. 1:12-cv-642-TLW-SVH

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the defendant (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_ %, plus postjudgment interest at the rate of \_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.

☒ other: the petitioner, Kevin Wayne McDaniels, shall take nothing of the respondent, John R. Owen, as to the petition filed pursuant to 28 U.S.C. §2254 and this action is dismissed without prejudice.

This action was (*check one*):

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Terry L. Wooten, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which dismissed the petition without prejudice.

Date: August 17, 2012

LARRY W. PROPES, CLERK OF COURT

s/A. Buckingham

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*